S.B.CRIMINAL MISC. BAIL APPLICATION NO. 4458/2006
(Babulal & Ors. Vs. State of Rajasthan)

DATE OF ORDER : 10/10/2006

HON'BLE MR.H.R.PANWAR, J.

Mr. Ramesh Purohit for the petitioners.
Mr. V.R.Mehta, Public Prosecutor for State.

Heard learned counsel for the petitioners and Public Prosecutor for the State. Perused the order impugned.

It is contended by learned counsel for the petitioners that the main accused Prahlad has been granted bail under Section 438 Cr.P.C. and the case of the present petitioner is not distinguishable from that of accused Prahlad.

Looking to the facts and circumstances of the case and having considered the oral arguments advanced by both the parties, I consider it just and proper to allow the bail application filed by the petitioners under Section 438 Cr.P.C.

Accordingly, the bail application filed by the petitioner u/s 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioners Babu Lal S/o Chand Mal Jain, Narendra S/o Ratan Lal Gurjar, Dali Chand S/o Mewa Lal Gurjar and Montu S/o Shiv Shankar Gurjar in FIR No. 347/06 P.S. Pratapgarh, they shall be released on bail for a period till the police concludes the investigation and files the challan provided each of them furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

(i)That they shall make themselves available for interrogation by a police officer as and when required;

(ii)That they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That they shall not leave India without the previous permission of the Court.

The petitioners shall surrender before the trial court on the date of filing of the challan and move a regular bail.

(H.R.PANWAR), J.

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